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2 The Honorable Barbara J. Rothstein
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE SUBPOENA TO
JIMMY NGUYEN

Case No. 2:20-cv-00593-BJR

IRA KLEIMAN, as the personal
representative of the Estate of David
Kleiman, and W&K Info Defense Research,
LLC,

Plaintiffs,

v.

CRAIG WRIGHT,

Defendant.

**DECLARATION OF VELVEL (DEVIN)
FREEDMAN IN SUPPORT OF
PLAINTIFFS' SECOND MOTION TO
COMPEL**

NOTED ON MOTION CALENDAR:
TBD

PLAINTIFFS' MOTION TO COMPEL
COMPLIANCE WITH SUBPOENA
(Case No. 2:20-cv-00593-BJR)

ROCHE CYRULNIK FREEDMAN LLP
200 S BISCAYNE BLVD., SUITE 5500
MIAMI, FL 33131
TEL.: (305) 753-3675

DECLARATION

1. I am an attorney for Plaintiffs Ira Kleiman, as the personal representative of the Estate of David Kleiman, and W&K Info Defense Research, LLC (collectively, "Plaintiffs"). I am admitted to practice in the U.S. Supreme Court, Florida, District of Columbia, U.S. Courts of Appeals for the Ninth and Eleventh Circuits, and all U.S. District Courts in Florida.

2. I am over the age of eighteen. The statements in this declaration are based on my personal knowledge and they are true and accurate to the best of my knowledge and belief. I make this declaration in support of Plaintiffs' Second Motion to Compel.

3. Pursuant to Local Rule 37(a)(1), I certify that, on April 30, 2020, I conferred in good faith with Mr. Nguyen's and Dr. Wright's attorneys.

4. On April 30, 2020, I deposed Mr. Nguyen.

5. During his deposition, both his attorney and Dr. Wright's attorney took the position that certain communications involving Mr. Nguyen and concerning the underlying action were protected by the attorney-client privilege and/or common interest privilege and instructed Mr. Nguyen not to answer numerous questions on that basis.

6. As the deposition concluded only hours ago, Plaintiffs do not have a final version of the transcript.

7. Attached hereto as Exhibit 1 is a true and correct copy of the Order Amending Scheduling Order, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Mar. 26, 2020), ECF No. 441.

8. Attached hereto as Exhibit 2 is a true and correct copy of the Second Amended Complaint, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Jan. 14, 2019), ECF No. 83.

9. Attached hereto as Exhibit 3 is a true and correct copy of a printout of Dr. Craig Wright's webpage, <https://craigwright.net/about/>.

10. Attached hereto as Exhibit 4 is a true and correct copy of Dr. Wright's Objection to Magistrate Order on Discovery, *Ira Kleiman et al. v. Craig Wright*, No. 9:18-cv-80176-BB (S.D. Fla. Mar. 23, 2020), ECF No. 434.

11. I conferred with Mr. Nguyen's attorney and Defendant's attorney at the deposition in good faith to try to resolve the issue, but we were not able to agree. I informed counsel at the time that we therefore intended to move as soon as possible for relief.

I declare the foregoing statements to be true under the penalties of perjury.

Dated: May 1, 2020

/s/ Velvel (Devin) Freedman

Velvel (Devin) Freedman, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 1, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Emanuel Jacobowitz
Emanuel Jacobowitz, WSBA #39991